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2005 SEP 22 11 4 23  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/683,179  
Confirmation No.: 7982  
Application of: Comiskey et al.  
Filed: November 29, 2001  
Group Art Unit: 2675  
Examiner: Nguyen, Chanh Duy  
  
Attorney Docket No.: H-312  
Customer No.: 26245

Cambridge, Massachusetts  
September 22, 2005

REQUEST FOR PARTIAL FEE REFUND

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir:

On July 22, the undersigned attorney filed a Request for Continued Examination (Form PTO/SB/30) and a Petition for Extension of Time (Form PTO/SB/22); copies of both are enclosed herewith. Inspection of the July 2005 Monthly Statement for the assignee's Deposit Account No. 501162 shows two errors with respect to the charges for these recent filings. The Statement is also enclosed and the relevant entries are underlined in red.

Since applicants claim small-entity status, the fees properly payable were:

Request for Continued Examination (Fee Code 2801)	\$395
Three month extension of time (Fee Code 2253, \$510, less \$60 paid with previous extension)	\$450
<b>TOTAL</b>	<b>\$845</b>

The fees actually charged were as follows:

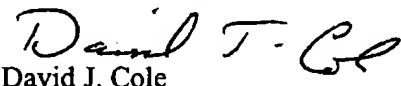
Request for Continued Examination (Fee Code 1801)	\$790
Extension of time (Fee Code 1252)	\$390
<b>TOTAL</b>	<b>\$1180</b>

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*Application Serial No. 09/683,179  
Request for Partial Fee Refund  
September 22, 2005  
Page 2*

Accordingly, it is respectfully requested that the sum of \$335, being the balance amount by which the applicants were overcharged, be refunded to the applicants, preferably by crediting the aforementioned Deposit Account No. 501162.

Respectfully submitted,



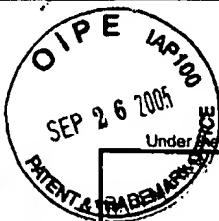
David J. Cole  
Registration No. 29629

E INK Corporation  
733 Concord Avenue  
Cambridge MA 02138

Telephone (617) 499-6069  
Facsimile (617) 499-6200  
E-mail [dcole@eink.com](mailto:dcole@eink.com)

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PTO/SB/30 (09-04)  
Approved for use through 07/31/2008. OMB 0851-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<b>Request for Continued Examination (RCE) Transmittal</b>  Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/683,179
	Filing Date	11/29/2001
	First Named Inventor	Comiskey et al.
	Art Unit	2675
	Examiner Name	Nguyen, Chanh Duy
	Attorney Docket Number	H-312

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

- b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 501162. I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) - PETITION FOR EXTENSION ENCLOSED

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature	<i>David J. Cole</i>	Date	July 22, 2005
Name (Print/Type)	David J. Cole	Registration No.	29629

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>David J. Cole</i>	Date	July 22, 2005
Name (Print/Type)	David J. Cole		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b> <b>FY 2005</b> <i>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</i>		<b>Docket Number (Optional)</b> <b>H-312</b>	
<b>Application Number</b> 09/683,179		<b>Filed</b> 11/29/2001	
<b>For ADDRESSING SCHEMES FOR ELECTRONIC DISPLAYS</b>			
<b>Art Unit</b> 2675		<b>Examiner</b> Chanh Nguyen	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.			
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	<b>Fee</b> \$ 120	<b>Small Entity Fee</b> \$ 80	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ 450	\$ 225	\$ _____
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ 1,020	\$ 510	\$ 450*
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ 1,590	\$ 795	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ 2,160	\$ 1,080	\$ _____
* \$60 fee paid with previous Petition for Extension filed May 19, 2005			
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.			
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>501162</u> . I have enclosed a duplicate copy of this sheet.			
<b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the <input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).			
<input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>29629</u>			
<input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____			
<u>David J. Cole</u> Signature		<u>July 22, 2005</u> Date	
David J. Cole Typed or printed name		(617) 499 6069 Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input checked="" type="checkbox"/> Total of <u>2</u> forms are submitted.			

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Alexandria, VA 22313-1450  
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MONTHLY STATEMENT  
OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and  
return top portion with your check. Make check  
payable to Director of Patents & Trademarks.

E INK CORPORATION  
DAVID J COLE  
733 CONCORD AVENUE  
CAMBRIDGE MA 02138

FINA

Account No.	501162
Date	7-29-05
Page	1

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DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
7	5	05	7	10605024	H-357	8021	40.00	1383.00
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7	5	05	9	10906019	H-431	8021	40.00	1303.00
7	8	05	31	10707184	H-360	2253	510.00	793.00
7	8	05	32	10707184	H-360	1806	180.00	613.00
7	12	05	31	PAYMENT		9203	-15000.00	15613.00
7	21	05	28	09140862	INK-006	2814	65.00	15548.00
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7	21	05	30	09140862	INK-006	2252	225.00	15258.00
7	26	05	8	6323989	H-305	1811	100.00	15158.00
7	26	05	17	09683179	H-312	1801	790.00	14368.00
7	26	05	18	09683179	H-312	1252	390.00	13978.00
7	26	05	104	11161179	H-422	4011	75.00	13903.00
7	26	05	105	11161179	H-422	2311	100.00	13803.00
7	26	05	106	11161179	H-422	2111	250.00	13553.00
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				1423.00	2870.00	15000.00	13553.00	



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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	09/683,179
		Filing Date	November 29, 2001
		First Named Inventor	Comiskey, Barrett
		Art Unit	2675
		Examiner Name	Nguyen, Chanh Duy
Total Number of Pages in This Submission	6	Attorney Docket Number	H-312

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Please see "Remarks" below
<b>Remarks</b>		
Request for Partial Fee Refund Copies of PTO/SB/30, PTO/SB/22, and Deposit Account Statement		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name			
Signature	<i>David J. Cole</i>		
Printed name	David J. Cole		
Date	September 22, 2005	Reg. No.	29629

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature	<i>David J. Cole</i>		
Typed or printed name	David J. Cole	Date	September 22, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b> FY 2005 (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		Docket Number (Optional) <b>H-312</b>	
Application Number <b>09/683,179</b>		Filed <b>11/29/2001</b>	
For <b>ADDRESSING SCHEMES FOR ELECTRONIC DISPLAYS</b>			
Art Unit <b>2675</b>		Examiner <b>Chanh Nguyen</b>	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.			
The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
	<b>Fee</b>	<b>Small Entity Fee</b>	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ 120	\$ 60	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ 450	\$ 225	\$ _____
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* \$60 fee paid with previous Petition for Extension filed May 19, 2005			
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.			
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>501162</u> . I have enclosed a duplicate copy of this sheet.			
<b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the <input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).			
<input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>29629</u>			
<input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____			
<u>David J. Cole</u> Signature		<u>July 22, 2005</u> Date	
<u>David J. Cole</u> Typed or printed name		<u>(617) 499 6069</u> Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
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02 FC:1252 390.00 DAAdjustment date: 11/04/2005 SDIRETA1  
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02 FC:1252 390.00 CR

11/04/2005 SDIRETA1 00000012 09683179

02 FC:2253 450.00 DA

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# Request for Continued Examination (RCE) Transmittal

Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/683,179
Filing Date	11/29/2001
First Named Inventor	Comiskey et al.
Art Unit	2675
Examiner Name	Nguyen, Chanh Duy
Attorney Docket Number	H-312

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- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
ii. ☐ Other \_\_\_\_\_

- b. ☒ Enclosed

- i. ☒ Amendment/Reply  
ii. ☐ Affidavit(s)/Declaration(s)  
iii. ☐ Information Disclosure Statement (IDS)  
iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)  
b. ☐ Other \_\_\_\_\_

## 3. Fees

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- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 501162. I have enclosed a duplicate copy of this sheet.  
i. ☒ RCE fee required under 37 CFR 1.17(e)  
ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) - PETITION FOR EXTENSION ENCLOSED  
iii. ☐ Other \_\_\_\_\_  
b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed  
c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>David J. Cole</i>	Date	July 22, 2005
Name (Print/Type)	David J. Cole	Registration No.	29629

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>David J. Cole</i>	Date	July 22, 2005
Name (Print/Type)	David J. Cole		

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7/26/2005 HUUNG1 00000011 501162 09683179

1 FC:1801 790.00 DA

Adjustment date: 11/04/2005 SDIRETA1  
07/26/2005 HUUNG1 00000011 501162 09683179  
01 FC:1801 790.00 CR

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01 FC:2801 395.00 DA

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